

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

CRAIG A. WHITNEY,  
and  
KATHERINE I. WHITNEY,

Debtors.

Case No. 19-53955

Chapter 13

Judge Thomas J. Tucker

CRAIG A. WHITNEY,  
and  
KATHERINE I. WHITNEY,

Plaintiffs,

v.

Adv. Pro. No. 19-4462

ARCPE 1, LLC,  
and  
BSI FINANCIAL SERVICES,

Defendants.

**ORDER DISMISSING ADVERSARY PROCEEDING, WITHOUT PREJUDICE**

Plaintiffs filed this adversary proceeding seeking to strip a lien from the Debtors' real estate. Under Fed. R. Bankr. P. 3012(b) and 7001(2), as effective beginning December 1, 2017, such relief cannot be obtained by filing an adversary proceeding, but rather requires the filing of a motion, a claim objection, or a lien strip provision in a Chapter 13 Plan, all of which are contested matters to be filed in the main bankruptcy case. A Chapter 13 debtor no longer may seek such lien-strip relief by means of an adversary proceeding.

Accordingly,

IT IS ORDERED that this adversary proceeding is dismissed, without prejudice.

**Signed on October 22, 2019**



**/s/ Thomas J. Tucker**

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**Thomas J. Tucker  
United States Bankruptcy Judge**